REMARKS

At the outset, the Examiner is thanked for considering the pending application. The Final Office Action dated October 17, 2011, has been received and its contents carefully reviewed.

Claims 1, 8, 10, 13, and 14 are hereby amended. No new matter has been added. Claims 1-16 are currently pending. Reconsideration of the pending claims is respectfully requested.

The Office Action has elected a new species for examination that reads on claims 1-7, 10, 11, and 13-16. The claims were indicated as allowable with respect to the previously elected species. Accordingly, for the purposes of the Office Action of October 17, 2011, claims 8-9 and 12 are withdrawn.

The Office Action objects to claims 1, 8, and 14 for minor informalities. Applicants have addressed the informalities and thus request withdrawal of this objection.

The Office Action also rejects claims 1-9 and 14-16 under 35 U.S.C. 112, second paragraph. Applicants respectfully traverse. Nonetheless, claims 1, 8, and 14, over which the rejection is based, have been amended to address the Examiner's concerns. Accordingly, Applicants respectfully request withdrawal of this rejection.

The Office Action also rejects claims 1-7, 10, 11, and 13-15 under 35 U.S.C. 102(e) as being anticipated by US Patent Application Publication No. 2004/0142206 to Bazan et al. ("Bazan"). Applicants respectfully traverse this rejection.

Amended claims 1 and 14 recite, *inter alia*, "wherein when R_2 and R_3 are at position 2,2 of formula I, if R_2 and R_3 are an each an alkyl then R_1 and R_4 are hydrogen and if R_2 and R_3 are each an alkoxy then R_1 and R_4 are hydrogen or an alkyl." Amended claim 10 recites, *inter alia*, "wherein when R_2 and R_3 are both hydrogen, if R_7 and R_8 are an each an alkyl then R_1 and R_4 are hydrogen and if R_7 and R_8 are each an alkoxy then R_1 and R_4 are hydrogen or

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an alkyl." Finally, amended claim 13 no longer recites "2,2'-methoxy-6,6-phenyl-1,1'-binaphthyl." Bazan fails to disclose at least these features of claims 1, 10, and 14, and fails to disclose the compounds still recited in claim 13. Thus, Bazan cannot anticipate claims 1, 10, 13-14 or dependent claims 2-7, 11, and 15. As such, Applicants respectfully request withdrawal of this rejection.

The Office Action also rejects claim 16 under 35 U.S.C. 103(a) as being unpatentable over Bazan. Applicants respectfully traverse this rejection.

Claim 16 depends on claim 14 and thus incorporates all the features of claim 14. Bazan fails to teach or suggest each and every feature of claim 14 and thus cannot render claim 14 obvious. Consequently, Bazan also cannot render claim 16 obvious. Applicants, therefore, respectfully request withdrawal of this rejection.

The application is in condition for allowance and early, favorable action is respectfully solicited. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office,

then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required

under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to

complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please

credit any overpayment to deposit Account No. 50-0911.

Dated :   January 17, 2012   Respectfully submitted,

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